IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

Crl.MC.No. 4934 of 2003()

LP.19/1992 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II, PERINTHALMANNA
C.C.NO.100/92 OF JFCM, PERINTHALMANNA

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PETITIONER: ACCUSED NO.2:

POTTEKKATT HARIDAS,
S/O. KUTTIKRISHNAN NAIR, POTTEKKAT HOUSE,
MANKADA (P.O), ANGADIPPURAM, PERINTHALMANNA,
MALAPPURAM DISTRICT.

BY ADV. SMT.K.V.RESHMI
SRI.C.M.KAMMAPPU

RESPONDENTS: COMPLAINANT/STATE:

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1. THE SUB INSPECTOR OF POLICE,
PERINTHALMANNA (CRIM NO.406/91).

2. STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 06/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

Crl.M.C.No.4934 of 2003

Dated this the 6th day of September, 2007

O R D E R

The petitioner is the accused in C.C.No.100/92 which is the split up case from C.C.No.80/92 wherein he was the second accused with respect to the offences under Sections 457 and 354 read with Section 34 IPC.

2. The petitioner has submitted that as can be seen from judgment the defacto complainant and her husband did not support the prosecution. The court has observed that the matter has been settled out of court and that the defacto complainant and her husband has no more complaint with respect to the above incident. In the circumstances, I find that no further proceedings is required against the petitioner/accused. It is submitted that he was working abroad during the trial of C.C.No. 80/92. Hence, the proceedings pending in C.C.No.80/92 in the court of JFCM, Perinthalmanna is herewith quashed.

The Crl.M.C. is allowed.

K.R.UDAYABHANU,
JUDGE

csl

K.R.UDAYABHANU, J

CRL.A.NO.871/2002

JUDGMENT

6th September 2007